

REMARKS

This is in response to the non-final Official Action currently outstanding with regard to the present application.

Claims 1 and 12-57 were pending in this application at the time of the issuance of the currently outstanding Official Action. By the foregoing Amendment, Claims 30-37, 39-40, 42 and 44-57 have been canceled, without prejudice. Claim 41 has been amended so as to remove its dependency from canceled Claim 39. Claim 58 has been added, and no claims have been withdrawn. Accordingly, upon the entry of the foregoing amendment, Claims 1, 12-29, 38, 41/38, 43 and 58 will constitute the Claims under active prosecution in this application.

More particularly, in the currently outstanding Official Action the Examiner has:

1. Acknowledged Applicants' claim for foreign priority under 35 USC 119 (a)-(d) or (f),
and confirmed the receipt of the required copies of the priority documents by the United States Patent and Trademark Office;
2. Accepted the drawings as filed on 1 June 2002;
3. Acknowledged his consideration of the Information Disclosure Statements filed in this application on 26 January 2005 and 3 March 2005 by providing the Applicants with a copy of the Forms PTO/SB/08a/b that accompanied those Statements duly signed, dated and initialed to confirm his consideration of the art listed therein;
4. Indicated that Claims 1, 12-29, 38 and 41/38 are allowed;
5. Indicated that Claims 30-37, 39, 41/39, 40 and 42-57 are withdrawn from consideration on the grounds that those claims are directed to an invention that is independent or distinct from the invention originally claimed; and

6. Indicated that prosecution on the merits of this application is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Further comment regarding items 1-4 above is not deemed to be required in these Remarks.

With regard to items 5 and 6, Applicants by the foregoing Amendment have canceled Claims 30-37, 39-40, 42 and 44-57, without prejudice. Further, Applicants have amended Claim 41 so as to make it depend from only allowed Claim 38. These amendments are deemed to place the above-identified application into a condition that is in accordance with the Examiner's currently outstanding Official Action with the exception of Claim 43. Accordingly, the entry of the above-identified amendments is respectfully requested in response to this communication.

With regard to previous claim 43 and new claim 58, Applicants respectfully note that those claims constitute method claims that are directed to the method of operation of a device corresponding to the device claimed in allowed Claim 1. Consequently, Applicants respectfully submit that claims 43 and 58 are directed to the same invention as that claimed in allowed Claims 1, 12-29, 38 and 41/38. In view of this fact, Applicants respectfully request that the Examiner reopen this prosecution for the purpose of granting reconsideration to claim 43 and consideration to claim 58, and that upon such reconsideration/consideration of Claims 43 and Claim 58, those claims be allowed for the same reasons as Claims 1, 12-29, 38 and 41/38 already have been allowed.

Applicants also believe that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: August 5, 2005

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SIGNATURE OF PRACTITIONER

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